

M I N U T E S
September 10, 2010
Committee on Professional Discipline

PARTICIPATING:

Committee on Professional Discipline meeting was called to order by Chairman Julia Bouchard, M.D., Boise, at 8:00 a.m. on Friday, September 10, 2010 in the conference room of the Board of Medicine office, in Boise, Idaho. Present were Committee on Professional Discipline members: Wendell Wells, M.D., Burley; Arthur C. Jones, III, MD, Boise, and Michael Johnson, Public Member, Boise. Stephen Marano, M.D., Idaho Falls arrived later. Also attending were Imelda (Joan) Weddington, Executive Director; Cathleen Morgan, Board Counsel; Mary Leonard, Associate Director; Beverly Kendrick, Quality Assurance Specialist, Cynthia Michalik, Quality Assurance Specialist; Janet Whelan, Quality Assurance Specialist; Darlene Parrott, Compliance Monitor and Jean Uranga, Attorney for the Board.

MINUTES:

The minutes of the June 4, 2010, meeting were approved as written. (Jones/Unanimous)

COMMITTEE ACTIONS/RECOMMENDATIONS:

At 8:00 a.m., pursuant to Idaho Code §67-2345 (1) (b), (d) and (f), the Committee moved to go into Executive Session to consider pending matters. (Motion - Jones. Approved - Bouchard, Johnson, and Wells.)

At 9:44 a.m. the Board of Medicine members joined the meeting: David A. McClusky, II, M.D., Chairman, Twin Falls; Leo Harf, M.D., Vice-Chairman, Nampa, Laura McGeorge, MD, Boise; Ralph Sutherlin, D.O., Meridian; William A. Cone, M.D., Lewiston; Barry Bennett, MD, Idaho Falls; William Ganz, MD, Coeur d'Alene; Col. Jerry Russell, Meridian; and B. Joyce McRoberts, Public Member, Meridian.

In Executive Session, the Committee met with three Respondents, two accompanied by legal counsel, pursuant to scheduled appearances. Upon departure, the Committee also considered the results of investigations and information presented in each discipline case.

Following a break for Board of Medicine business and lunch the Committee moved to go back into executive session at 1:00. At 1:58 p.m., the Committee acted to leave Executive Session and go into Open Session. (Motion - Wells. Approved - Jones, Johnson, Marano and Bouchard)

In Open Session, the Committee voted on the matters considered during Executive Session and made recommendations to the Board of Medicine as follows:

Case No. BOM-2010-422 - The Committee acted to recommend further investigation. (Jones/Unanimous)

Case No. BOM-2010-420 - The Committee acted to recommend closure. (Wells/Unanimous)

Case No. BOM-2010-414 - The Committee acted to recommend closure with a Confidential Reprimand, for standard of care issues, and a recommendation that physician correct the errors identified in the medical record. (Wells/Unanimous)

Case No. 6594 - The Committee acted to recommend closure with a Stipulation and Order for a rehabilitation evaluation and follow up. (Johnson/Unanimous)

Case No. BOM-2010-419 - The Committee acted to recommend a consultant review of records. (Marano/Unanimous)

Case No. MON-132 - The Committee acted to recommend denial of a request for modification of a Stipulation and Order. (Wells/Unanimous)

Case No. 6607 - The Committee acted to recommend closure with a Confidential Letter of Concern and a recommendation for a record keeping course. (Jones/Unanimous)

Case No. 6561 - The Committee acted to recommend closure with a Confidential Letter of Concern. (Jones/Unanimous)

Case No. MON-25 - The Committee acted to recommend closure with a Letter of Concern and a recommendation for a pain management course, with a follow up record review. (Jones/Unanimous)

Case No. MON-135 - The Committee acted to recommend compliance with the current Stipulation and Order, or allow provider to permanently relinquish the medical license. (Jones/Unanimous)

Case No. BOM-2010-423 - The Committee acted to recommend closure with a Stipulation and Order for a rehabilitation evaluation and follow up. (Jones/Unanimous)

Case No. 6572 - The Committee acted to recommend closure. (Wells/Unanimous)

Case No. 6604 - The Committee acted to recommend closure with a Confidential Letter of Concern and to provide educational information to the licensee regarding the duties and responsibilities of the Board of Medicine. (Jones/Unanimous)

Case No. MON-130 - The Committee acted to recommend denial of a request for modification of a Stipulation and Order. (Wells/Unanimous)

Case No. 6584 - The Committee acted to recommend closure with a Confidential Letter of Concern. (Jones/Unanimous)

Case No. BOM-2010-418 - The Committee acted to recommend closure with a rehabilitation Stipulation and Order. (Wells/Unanimous)

Case No. BOM-2010-412 - The Committee acted to recommend closure with a voluntary surrender of license, or proceed with formal proceedings if necessary. (Johnson/Unanimous)

Case No. 6269 - The Committee acted to recommend closure with a Stipulation and Order. (Wells/Unanimous)

Case No. 6583 - The Committee acted to recommend closure with a Confidential Letter of Reprimand. (Wells/Unanimous)

The Committee acted to recommend that the following cases be closed by consent motion: Case Nos. 6552, 6554, 6564, 6567, 6568, 6569, 6570, 6571, 6574, 6575, 6576, 6577, 6578, 6580, 6581, 6582, 6585, 6586, 6587, 6588, 6591, 6592, 6593, 6596, 6597, 6599, 6605, 6610, 6611, 6612, 6618, 6620, 6622, 6624, and MON-128.

The Committee reviewed follow-up information presented in case Nos. PAC-2010-411, 6255, BOM-2010-427, BOM-2009-402, BOM-2008-406, MON-98, BOM-2010-421, 6406, 5796, 6266, BOM-2010-426, and BOM-2010-425. No action was required.

The responses to the Board's request for follow up information regarding the annual renewal application questions were provided as an informational report. No action was required.

The Committee reviewed the Monitoring records for information. No action was required.

The Committee reviewed the Stipulation and Order Compliance Report. No action was required.

The Committee reviewed compliance with the Patient Freedom of Information Act and noted that of the five licensees listed on the agenda four had complied prior to the meeting. The Committee acted to recommend an Order Imposing Fine for non-compliance in Case No. 2010-BOM-6643.

The Committee reviewed the reports of matters that were determined to be outside of the Board's jurisdiction.

ADJOURNMENT:

Committee Chairman Julia Bouchard, M.D. adjourned the meeting at 1:58 p.m. on Friday, September 10, 2010.